

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

GARY K. STOUT for himself and
others similarly situated,

Plaintiffs,

Case No.: 3:13-CV-26

vs.

REMETRONIX, INC., *et al.*,

Judge Thomas M. Rose
Magistrate Judge Michael J. Newman

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. 44)

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael J. Newman (doc. 44), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation in full. It is therefore **ORDERED** that:

1. The parties' stipulation of voluntary dismissal without prejudice of opt-in Plaintiffs Williams and Bohorquez pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) (doc. 42) is **CONSTRUED** as a joint, unopposed motion to dismiss pursuant to Fed. R. Civ. P. 21;
2. The motion is **GRANTED**; and
3. Opt-in Plaintiffs Williams and Bohorquez are **DISMISSED WITHOUT PREJUDICE**.

Date: April 30, 2014

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge